

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

GATE GUARD SERVICES, L.P., BERT STEINDORF, and SIDNEY L. SMITH,)	
)	
Plaintiffs/Counter-Defendants,)	
)	
v.)	Civil Action File
)	No. 6:10-cv-00091
)	
HILDA L. SOLIS, SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR,)	JURY
)	
)	
Defendant/Counter-Plaintiff.)	
)	

**JOINT DISMISSAL OF ALL CLAIMS IN THE PARTIES' RESPECTIVE AMENDED
COMPLAINTS AS TO THE SERVICE TECHNICIANS
OF GATE GUARD SERVICES, L.P.**

Plaintiffs/Counter-Defendants Gate Guard Services, L.P. and Bert Steindorf, Counter-Defendant Sidney L. Smith and Defendant/Counter-Plaintiff Hilda L. Solis, Secretary of Labor, United States Department of Labor (collectively, "the Parties"), pursuant to Federal Rule of Civil Procedure 41(a)(1) and other applicable law, file their Joint Dismissal of All Claims in the Parties' Respective Amended Complaints as to the Service Technicians of Gate Guard Services, L.P. ("Joint Dismissal").

With respect to the current and former Service Technicians, the Parties agree that all claims regarding the Service Technicians of Gate Guard Services, LP set forth in the Parties' respective Amended Complaints are dismissed. The Secretary agrees it will not, in the future, bring an action under Sections 6, 7 and 15(a)(2) of the FLSA, 29 U.S.C. §§ 206, 207 and 215(a)(2); as well as Sections 11(c) and 15(a)(5) of the FLSA, 29 U.S.C. § 211(c) and 215(a)(5), 29 U.S.C § 217 or with respect to any other claim under the FLSA as set forth in its Amended

Complaint for the Service Technicians listed on Exhibit A to the Secretary's Amended Complaint/Counterclaim, for any acts occurring between February 16, 2009 to the date the Court grants this Motion. The Parties further agree that all claims of any Service Technician of Gate Guard Services set forth in the Parties' Amended Complaints pursuant to Sections 6, 7 and 15(a)(2) of the FLSA, 29 U.S.C. §§ 206, 207 and 215(a)(2); as well as Sections 11(c) and 15(a)(5) of the FLSA, 29 U.S.C. §§ 211(c) and 215(a)(5) are tolled for any Section 16(b), 29 U.S.C § 216(b), action brought by the individual current and former Service Technicians under the FLSA for the period from February 16, 2009 to the date the Court grants this Motion.

The Parties agree that each is responsible for their own attorneys' fees, costs, and expenses with respect to all claims pertaining to the current and former Service Technicians in this action.

Respectfully submitted, this 28th day of November, 2011.

CHAMBERLAIN, HRDLICKA, WHITE,
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